

LEON COUNTY CODE ENFORCEMENT BOARD

LEON COUNTY, a political subdivision
of the State of Florida,

Petitioner,

vs.

CEB CASE NO.: 04-014

Estate of Mildred Roberts
c/o Cindy Roberts

Respondent.
_____ /

FINDINGS OF FACT, CONCLUSION OF LAW, AND ORDER

THIS CAUSE came for public hearing before the Board on August 19, 2004, and having heard testimony under oath and received evidence, and being advised in the premises, the Board issues its findings of fact and conclusions of law and enters its Order in this case as follows:

FINDINGS OF FACT

1. Cindy Roberts is the owner of the subject property, is Respondent herein, was served with proper notice, and Cindy Roberts was present at the hearing and was not represented by counsel.
2. On or before August 12, 2003, two (2) abandoned unsafe mobile homes without proper permits existed on the subject property, located at 8952 Crawfordville Road, Tax ID #46-09-15-000-053-0, in violation of the Code of Laws of Leon County, Florida, Section 14-2.
3. A notice of violation was provided to Respondent by certified mail on August 12, 2003, requesting that the violation be corrected within sixty (60) days from August 12, 2003, by Respondent removing the structures, permitting the structures, or otherwise make the structures safe.
4. The violation was not corrected as requested, which resulted in issuance of a Notice of Violation and Request for Hearing which was provided to Respondent by certified mail on July 22, 2004.

LEON COUNTY CODE ENFORCEMENT BOARD
CEB CASE NO. 04-014
PAGE TWO

CONCLUSIONS OF LAW

Section 14-2 of the Leon County Code of Law states that dilapidated structures, including real property, personal property or fixtures, on any parcel of land in the county, which may reasonably cause the property to threaten, the public health, safety, or welfare, or which may reasonably cause disease, or adversely affects the economic welfare of other property, constitutes a public nuisance and is prohibited, and every owner of real property in the county has a duty to keep his or her property free of any nuisance at his or her expense..

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and pursuant to the authority granted in Chapter 162, Florida Statutes, and Chapter 6, Leon County Code of Laws, by Motion made by June Vickers and duly seconded by John Jordan, which carried by a vote of seven (7) in favor to none opposed, it is hereby ORDERED:

1. That Respondent is found by the Leon County Code Enforcement Board to be in violation of Section 14-2 of the Leon County Code of Laws; and
2. That Respondent shall correct said violation by removing the structures or obtain permits and otherwise make safe within ten (10) days of the date of this Order, deadline being September 11, 2004, and obtain from the Department of Growth and Environmental Management an Affidavit of Compliance to be filed, exclusive of staff review time, with this Board on or before the ordered compliance deadline date; and
3. That if Respondent does not comply with this Order on or before the above-stated compliance deadline date, then, pursuant to Section 162.09, Florida Statutes, the Board may impose a fine of \$1.00 for the first day and \$1.00 for each and every day thereafter any violation continues past the compliance deadline date.

The parties are hereby notified that upon the timely filing of a Notice of Appeal within thirty (30) days of the date of this Order, you may have the decision of the Code Enforcement Board reviewed by Circuit Court.

LEON COUNTY CODE ENFORCEMENT BOARD
CEB CASE NO. 04-014
PAGE THREE

DONE AND ORDERED this 2nd day of September, 2004.

LEON COUNTY CODE ENFORCEMENT BOARD
BY: Charles E. Cook
CHARLES E. COOK, CHAIRMAN

ATTESTED TO:

BY: Jacqueline Z. Feagin
CODE ENFORCEMENT BOARD ADMINISTRATOR

I hereby certify that a true copy of the above Order has been sent to Respondent, Estate of Mildred Roberts c/o Cindy Roberts, Nellie's Group Home, 1127 State Line Road, Boston, Georgia 31626, by U.S. First Class and Certified Mail, this day of , 2004.

Jacqueline Z. Feagin
Leon County Code Enforcement Board Administrator

ATTENTION: It is the Respondent's(s) responsibility to notify the Department of Community Development of Leon County, Florida, at 488-9300 and satisfactorily demonstrate that the violation has been corrected, and to obtain an Affidavit of Compliance, in order to avoid continued accrual of per day fine and lien amounts. **RECORDING OF THIS ORDER IN THE PUBLIC RECORDS OF LEON COUNTY, FLORIDA, SHALL CONSTITUTE NOTICE OF THE SUBJECT PROPERTY, AND THE FINDINGS THEREIN SHALL BE BINDING UPON ANY SUBSEQUENT PURCHASERS, SUCCESSORS IN INTEREST, OR ASSIGNS.**